

# Notice of Allowability

Application No.

10/774,386

Examiner

Dirk Wright

Applicant(s)

TAKATORI ET AL.

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3681

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to \_\_\_\_\_.
2. ☒ The allowed claim(s) is/are 1-11.
3. ☒ The drawings filed on 10 February 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 02102004
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

EA

*Claims Allowed*

Claims 1-11 are allowable over the prior art of record. The claims are allowable because the prior art does not anticipate nor render obvious the claimed combination of: a shift pressure control apparatus for controlling a shift pressure to perform a shift in an automatic transmission, the shift pressure control apparatus comprising: a controller to determine a starting input-torque-dependent pressure from a transmission input torque at a start of a shift; to hold the shift pressure at the starting input-torque dependent pressure during the shift; to monitor an operating parameter representing an engine load of an engine connected with the automatic transmission, to detect an engine load change; and to modify the shift pressure to a modified pressure determined by modifying the starting input-torque-dependent pressure with a difference between a second engine-load-dependent pressure determined from the engine load after the engine load change and a first engine-load-dependent pressure determined from the engine load at the start of the shift when the engine load change is detected; or a shift pressure control process for controlling a shift pressure to perform a shift in an automatic transmission, the shift pressure control process comprising: determining a starting input-torque-dependent pressure from a transmission input torque at a start of a shift; holding the shift pressure at the starting input-torque dependent pressure during the shift; monitoring an operating parameter representing an engine load of an engine connected with the automatic transmission, to detect an engine load change; and modifying the shift pressure to a modified pressure determined by modifying the starting input-torque-dependent pressure with a difference between a second engine-load-dependent pressure determined from the engine load after the engine load change and a first

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engine-load-dependent pressure determined from the engine load at the start of the shift when the engine load change is detected .

No particular single feature of the claim renders the claim as a whole patentable. Only the claim taken as a whole combination is deemed new and unobvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Prior Art Discussed***

The examiner has considered the reference cited in applicant's Information Disclosure Statement filed concurrently with the application. The reference does not show all of the features of the claimed invention.

The references cited by the examiner are deemed pertinent to applicant's disclosure. None of the references show all of the features of the claimed invention. Kawamura '693 shows a line pressure control unit that performs feedback control based on a running state of the vehicle, but does not show modifying a shift pressure with a difference between a first and a second engine load dependent pressure determined from the engine load at the start of the shift and from the engine load after a change in engine load, respectively, when a change in engine load is detected. Likewise, Tsutsui '950, Hubbard '811, and Minowa '021 do not show this feature.

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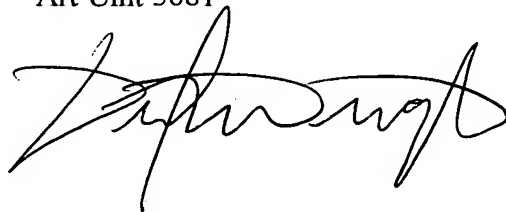
***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dirk Wright whose telephone number is 571-272-7098. The examiner can normally be reached on Monday through Friday, 8AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Marmor can be reached on 571-272-7095. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dirk Wright  
Primary Examiner  
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A handwritten signature in black ink, appearing to read 'Dirk Wright', is written over the printed name and title.

DW  
Friday, May 13, 2005